

HALL COUNTY BOARD OF SUPERVISORS MEETING APRIL 20, 2004

The Hall County Board of Supervisors met April 20, 2004, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER - The meeting was called to order by Chairman Pamela Lancaster.

INVOCATION - Invocation was given by Rev. Jim Keezer.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison.

ROLL CALL - Present on roll call were Scott Arnold, Jim Eriksen, Dick Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster, and Robert Rye. Also present were County Attorney Jerry Janulewicz and representatives from the *Grand Island Independent* and KRGI.

CONSENT AGENDA ITEMS –Eriksen made a motion and Jeffries seconded to approve the following by consent agenda:

1. Accept and place on file the minutes of the March 23, 2004 meeting
2. 5a Authorize the Chair to sign contracts for bridge inspections for BRO 7040(23) and BRO 7040(24)
3. 5b Approve Resolution #04 – 0015 for Bridge Project Bro 7040(23) authorizing Chair to sign contracts
4. 5c Approve Resolution #04-0016 for Bridge Project BRO 7040 (24) authorize Chair to sign contracts
5. 6a Set the public hearing on acquisition of Handi-buses Project #RPT-C401(024) Federal 5309 Capital Assistance program for 2004 for May 4 at 9:20 a.m.
6. 6b Set the public hearing on application for public transportation assistance for period of July 1, 2004 through June 30, 2005 for May 4 at 9:25 a.m.
7. 13a Approve Resolution #04-0017 for the Exchange of Collateral for Union Bank in the amount of \$200,000.00
8. 13b Approve Resolution #04-0018 for Additional Collateral for U. S. Bank in the amount of \$150,000.00
9. 15a Approve the final plat for Amick Acres West 4th Subdivision
10. 15 b Approve the final plat for Leisure Valley Lake Second Subdivision
11. 15c Approve the final plat for Ace in the Hole Second Subdivision
12. 15d Approve the final plat for Mary Smith Second Subdivision
13. Accept and place on file the office reports from the County Clerk, Register of Deeds and County Court
14. Accept and place on file the Hall County Treasurer's Miscellaneous Receipts
15. Accept and place on file communications as received

Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

OFFICE REPORT
March 2004

TITLE FEES STATE	\$17,734.75
TITLE FEES COUNTY	\$ 9,180.25
RECORDING FEES	\$ 45.00
MARRIAGE LICENSES	\$ 480.00
PHOTO FEES/FAX FEES & MISC.	\$ 14.25
PLAT BOOKS/OTHER	108.00
CERTIFIED COPIES MARRIAGE LICENSES	\$ 175.00
TIME CARD FEES	\$
TOTAL FOR NOVEMBER FEES	\$27,737.25

OFFICE REPORT
COUNTY COURT
MARCH 2004

FINES (CO.)	\$64,405.84
OVERLOAD FINES	4,499.50
REIMBURSE SHERIFF FEES	1,846.78
WORK RELEASE FEES	1,011.00
REIMBURSE FAX COPIES	3.00
FINES (CITY)	7,595.26
REIMBURSE WITNESS FEES	668.80
BOND FORFEITURES	2,029.75
REIMBURSE CO. FEES	
TOTAL	\$ 82,059.93

OFFICE REPORT
REGISTER OF DEEDS
MARCH 2004

DOCUMENTARY STAMP FEES	\$ 6,292.39
RECORDING FEES	24,196.00
PHOTO FEES	467.53

2a COUNTY ATTORNEY DISCUSSION AND ACTION ON WERNER SCHAAF CONDITIONAL USE PERMIT – County Attorney Jerry Janulewicz stated that the committee met and there are two issues 1 – is the new application for the conditional use permit that is adjacent to the property and 2 – on the original permit the neighbors have raised concerns on traffic, noise, the 24/7 operation and the millings that are stored on the property. He is recommending tabling the request for the new application for two weeks to try and work out a resolution between the neighbors and Werner Construction. This has not been accomplished because of the concern on the millings that are stored on the property. Janulewicz suggested looking at the new application separate from the existing permit. The new permit will have all of the restrictions regarding the 300 foot set back, the mufflers on the equipment, position of signs, the times of operation and the issue of not storing millings on the property. Then they can address the compliance issues on the original permit. If Werner's is in non compliance the board can send notice and schedule another public hearing to revoke the old permit or not issue another permit until they are in compliance. The committee does not have a recommendation at this time. Janulewicz stated that Attorney Mike Sullivan representing Werner Construction is present and may want to address the board.

Arnold stated that there is no agreement on the storage of the millings. Werner's wants to maintain the current amount and replace if used, and the issue of the traffic still exists. Werner's can control their trucks but not other companies. It was suggested to place signs directing the traffic.

Jeffries stated that Werner's wants to continue to use the milling and they have consented to the other restrictions. Lancaster also expressed concern on the speed of the traffic. Jeffries stated that they also discussed placing a weight limit on the road that would not allow any truck traffic.

Mike Sullivan requested to address the board. He stated that they would like to propose language in paragraph 7 to address the millings. These products are important to the company to use in road projects it saves money for the company and for the City and County.

Hartman questioned what they ment by milled concrete. This would be the small crushed concrete that looks like gravel. Jeffries discussed the milling process that is used.

Chairman Lancaster called for public response.

Pat O'Hara 5387 South Engleman Road – He stated that Werner's is in violation of the current resolution and he does not want them to bring in any more of the millings. A petition that the residents signed was given to the board. He said that Werner's is not going to pump as much this year, but that is only because of their current contracts. The aggregate is for their gain. The people lived there first and the situation needs to be resolved before this becomes a major industrial park.

Bill Carson 5575 South Engleman Road expressed concern on the amount of school traffic on Engleman and stated that this area is not contusive to an industrial complex. He also stated that he feels that Werner's is in violation of the conditional use permit.

Chairman Lancaster called for public participation – Mike Sullivan requested to speak. He responded that Werner's does not feel that they are in violation of the current conditional use permit it address waste products and this is what the millings.

Hartman questioned if the crushed concrete that is stored there could remain the same and if some is used Werner's could not add any more than what they had. They could send a letter stating the amount that is there.

4. 9:30 A.M. BID OPENING FOR BREATHING AIR CENTERS – The following bids were received:

BIDDER	UNIT COST	EXTENDED COST	DELIVERY DATE
MidWest Breathing Air, Wapello IA	\$34,745.00	\$69,490.00	130 days
Municipal Emergency Services Synder, NE	\$39,900.00	\$79,800.00	120 days
Fireguard Omaha, NE	\$40,468.72	\$80,937.44	60-90 days
Heinman Fire Ashton, IA	No Bid		

BID OPENING HYDRAULIC LIFTING, CUTTING EXTRICATION EQUIPMENT- The following bids were received from FireGuard, Omaha, Nebraska and Municipal Emergency Services Snyder, Nebraska.

Eriksen made a motion and Jeffries seconded to refer the bids to Troy Hughes. He will come back with a recommendation at the May 4th board meeting. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried

Returned to the discussion on the conditional use permit for Werner Construction. Arnold made a motion and Hartman seconded to table this matter and send it back to the conditional use committee. Only the committee members will meet to discuss this and come back with a recommendation on May 4th. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried

410:00 A.M. PUBLIC HEARING FOR LIQUOR LICENSE FOR FONNER VIEW GOLF - Arnold made a motion and Eriksen seconded to open the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

The board members received the application information and the letter from the Hall County Sheriff stating that there was no reason not to approve the application.

Chairman Lancaster called for any one in attendance that would like to address this application.

Windy Willman was present and stated that she had made the application for the license.

Jeffries made a motion and Humiston seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries made a motion and Eriksen seconded to approve the liquor license for Fonner View Golf. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

COUNTY ATTORNEY 2B DISCUSSION REGARDING CELLULAR TELEPHONE SERVICE FOR COUNTY DEPARTMENTS – The board had sent a letter to the elected and appointed officials requesting that they did not purchase any more cellular phones or service until the board could review the current plans. They were attempting to see if there was a better way to handle the service for the county, and they found that the plans that are currently being used are very conservative. They were able to find information on a plan that is used by the State of Nebraska through Alltel. The fees would be included on the Centrex billing. It is their recommendation that departments that need the cellular service to switch over to the state plan and if new service is needed to use the plan through Alltel. A letter should be sent to the department heads informing them of this change. Jeffries made a motion and Eriksen seconded to notify the departments to change their cellular service to the Alltel plan. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

2c DISCUSSION AND ACTION ON AGREEMENT WITH NORTH CENTRAL MARKETING – This agreement is for the third party administration for the 125 cafeteria plan, the bid opening was held April 6th. They did not have a stock agreement so Jerry

has been working on this. It needs to be completed so the employee meetings can be planned. He will also need to complete the plan document. He is requesting that the board authorize him to proceed with the negotiations on the contract. Rye made a motion and Eriksen seconded to authorize the County Attorney to proceed with the negotiations on the agreement for the administration of the cafeteria plan for the County. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

7a APPROVE RESOLUTION FOR COMPREHENSIVE DEVELOPMENT PLAN
Regional Planning Director Chad Nabity was present. He stated that the public hearing for this was held March 23, 2004 and now the resolutions need to be approved to accept the plan and put the plan and regulations in effect. There were a number of changes that affect the rural areas but the existing operations will be grandfathered in.

Jeffries questioned how the numbers of animals for the feedlot operations were determined. Mr. Nabity stated that these numbers agree with the state statutes. Lancaster questioned if all the same rules apply to all counties. Mr. Nabity stated that the statutes define what an animal unit is but every county is different and it should be that way. These regulations are made at the local level for what is appropriate for each county. Smaller counties do not allow a 1000 animal unit; this would be a family farm, and Hall County does not want to discourage family farms. The Hall County regulations may not fall into the livestock friendly wording.

Eriksen asked for clarification on the permits. Mr. Nabity stated that livestock feeding operations are required to obtain a permit at no cost. This permit allows regional planning to know where the operations are located. Nabity stated that the 300 foot set backs are now in place.

Jeffries made a motion and Eriksen seconded to approve Resolution #04 – 0019 for the Comprehensive Development Plan. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

b APPROVE RESOLUTION FOR ZONING REGULATIONS AND SUBDIVISION REGULATIONS – Mr. Nabity stated that the second resolution is for the zoning and subdivision regulations. These will go into effect June 1, 2004. The information is to be submitted electronically so it can be tied into the GIS system.

Jeffries made a motion and Eriksen seconded to approve Resolution #04-0020 For the Zoning and Subdivision Regulations. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

8 LONG RANGE PLANNING COMMITTEE RECOMMENDATION CONCERNING RELOCATION OF BUILDING DEPARTMENT OFFICE – Eriksen stated that the committee talked to Building Inspector Max Boerson concerning the relocation of his office and there will be no changes at this time. They will continue to explore the various options.

9 DISCUSSION AND ACTION ON REAPPOINTMENT OF LEONARD “WAYNE” FRENCH TO HALL COUNTY VETERANS SERVICE COMMITTEE – Jeffries stated that Mr. French has served on the veterans service committee for many years. Jeffries made a motion and Eriksen seconded to approve the reappointment of Leonard Wayne French to the veterans Service Committee representing the Grand Island Veterans of Foreign Wars Post 1347. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

10 TROY CHANDLER – JUVENILE DIVERSION DISCUSS & APPROVE JIBG GRANT Troy Chandler and Todd Usrey were present requesting approval on the grant application. This grant is for the fifth year of funding for Todd’s position as the juvenile in-take officer. The total grant is for \$33,353.00 and the county match will be \$8,400.00. The program has not changed but the amount of funding has decreased. Mr. Chandler stated that he did receive some other grant funds that he has set aside to help with the cost of this program.

Todd Usrey was present and explained the offenders program. He meets with his clients on a weekly basis usually at the schools that they attend. This is a good way to check on their school performance and keep them on track. Jeffries asked how many he has in the program and he stated he now has 17 individuals that he oversees. He also has referrals from Howard County. Hall and Howard County are also part of the District 8 Probation office.

Lancaster stated that this program give the kids a second chance. Douglas, Sarpy, Lancaster and Hall County are now doing a study to standardize the diversion programs through-out the State of Nebraska and Hall County was included because of the success of our program.

Eriksen questioned why the budget is less than last year and Mr. Chandler stated that this grant has been reduced so they have cut expenses to continue the program. The board members thanked them for the work that they do.

Jeffries made a motion and Rye seconded to authorize the chair the juvenile in-take office block grant. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

16 COMMENCE AUDIT OF BI WEEKLY PAY CLAIMS AND REGULAR CLAIMS AND ACTION ON CLAIM AUDIT – The board members reviewed the claims and Board Assistant Stacey Ruzicka mentioned the claim from Mary Lanning hospital for EPC charges. This claim used all of the money that was budgeted and she wanted to verify why it was so high. Region III pays for days 1 to 4 and Mary Lanning pays for day 5 but if there is a delay in the hearing the county has to pay the rest of the fees. There were delays on these two claims so the county has to stand the cost. This line item will need to be increased for the next budget year. Mental health board meetings are held twice weekly so that should help resolve the cases.

Hartman made a motion and Eriksen seconded to approve the the bi weekly pay claims and the regular claims and authorize the clerk to pay. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

BOARD ASSISTANT'S REPORT – No report

BOARD MEMBER'S REPORTS – Hartman – He attended the Mid Plains meeting and the CNCS meeting. He questioned if there is to an update on the jail project. He also expressed concerns regarding the Hall County Park and if the County is going to transfer ownership.

Lancaster stated that they have met with the judges concerning space in the Courthouse and if they would want to move to the new facility. DLR was asked to look at holding cells in the old jail for court hearings but with the possibility of have another District Judge in Hall County space is limited. The long-range planning committee is looking at moving county court to the new facility to free up space in the Courthouse. On May 4th Dan Smith with Kirkpatrick & Pettis is to talk to the board concerning the next step on the jail project.

Humiston – No report.

Eriksen – He attended the extension board meeting a CASA meeting and a safety committee meeting.

Rye – He attended the safety committee meeting.

Jeffries – He attended the conditional use committee meeting and a classification committee meeting to discuss the salary survey. They are going to contact Paul Essman and will get back to the board with the information.

Arnold – All of his meetings have been reported on.

Lancaster – The computer committee is working toward the hiring of the IT director. They received good applications and are working on the interview process. She also reported that the County has been invited as a guest to the KRGF Focus program that will be aired every Monday. She has a sign up sheet and stated that this is a good opportunity for the county department to participate and provide information about their offices.

NEW OR UNFINISHED BUSINESS – Chairman Lancaster called for new or unfinished business and no one responded.

Meeting adjourned 11:37 a.m. The next meeting will be May 4, 2004.

Marla J. Conley Hall County Clerk

